

REMARKS

Claims 1-4, 6-7, 11, 13-15, 19-21, 25-31, 35-44 and 47-50 are pending in the application, claims 5, 8, 12, 16-18, 22-24, 32-34, 45-46 and 51-55 having been previously cancelled. Claims 2, 6-7, 11, 21, 25-28, 31, 36, 39-40, 42 and 47-48 are amended herein. As amended herein, claims 1, 2, 6, 19, 21, 27, 35, 41, 42 and 50 are independent.

The undersigned wishes to thank the Examiner for the early notice of the allowability of claims 37-38 if rewritten in independent form.

Claim 40 is rejected under 35 USC 112, second paragraph. The Examiner correctly notes the inadvertent editorial error in the recitation of "payor" rather than "payee". Accordingly, the claim is amended as proposed by the Examiner to correct the error.

Claims 1-4, 6, 11, 13-15, 19-21, 28-31, 35, 39-44 and 48-50 stand rejected under 35 USC §102(b) as anticipated by Kolling, et al. (U.S. Patent No. 5,920,847). Claims 7, 25-27, 36 and 47 stand rejected under 35 USC §103(a) as obvious over Kolling. The rejections are respectfully traversed.

Each of independent claims 1, 19, 35, 41 and 50 require that a selection be made between electronic crediting of a bank account of the applicable payee and the generation of a check or draft payable to the applicable payee. It does not appear that this limitation has been considered in the rejection. The only reference to payment in support of the rejection relates to Kolling's disclosure that payment is made by electronic crediting, for example, using settlement bank 128 shown in Figure 4.

As best understood, Kolling does not provide for a selection between electronic crediting and preparation of a check or draft. Furthermore, as also understood, the universal biller reference file (UBF) 108 of Kolling necessarily includes biller information for all billers. More particularly, Kolling provides a closed system, where each biller must have a unique identifier, which Kolling characterizes as a biller reference number (BRN), as described in column 15, lines 39-44. The BRN is utilized to access records in the biller file 108 (see column 17, lines 15-34). Thus, Kolling fails to disclose the required selection, or that electronic crediting is only selected if the database includes payee information associated with the applicable payee as required in independent claims 1, 19 and 41.

Independent claim 50 not only requires selection between electronically crediting a bank account of the applicable payee and generating a check/draft payable to the applicable payee, but also requires that a record be added to the database for each of the applicable payees to whom payment is requested to be made, if that payee is not associated with the stored records.

As noted above, according to Kolling, at the time of the request, biller information must already be stored in the universal biller reference file 108. Hence, as understood, Kolling has no ability to add a record to file 108 based on a request to pay a biller for whom no record already exists in the file 108. Indeed, as noted in column 18, lines 59-60, the payment record must include a BRN for the applicable biller, and hence, a record must necessarily be stored in the file 108 for the biller associated with that BRN.

The Examiner's attention is directed to the description in Kolling, beginning in column 21, line 38, relating to Figure 9, which details how a biller becomes a

participating biller with an assigned BRN and associated record in UBF 108. In column 26, lines 56-65, Kolling further discloses that if the BRN in the request for payment is determined by the consumers bank (Bank C) to be invalid, the payment request is rejected.

Accordingly, it is respectfully requested that the rejection of independent claims 1, 19, 35, 41 and 50 be reconsidered in view of the above and withdrawn.

Claims 2, 21 and 42 have been rewritten in independent form. Each of these claims requires that the payment requests in the sets received from the different sources have different formats. It is further required that these requests be normalized and that the payment instructions or directions be generated based on the normalized requests.

As understood, it is contended that the different formats could be construed to be different transaction dates, and that the addition of data (e.g., payee information from database 108) to the payment requests prior to passing the payment requests to the biller's Bank B, corresponds to a normalization as required by the above-referenced claims.

It is respectfully submitted that, in accordance with the common and ordinary dictionary meaning of format (see Microsoft Computer Dictionary, 5th Edition), the term "format" will be understood by those skilled in the art to mean an arrangement of data within a document file. Accordingly, the addition of data will not result in a normalization of data received in different formats.

Furthermore, each of the above-referenced claims requires that the normalized payment requests be processed to generate the payment directions. As shown in

Figure 4, the payment message transmitted from Bank C (i.e. payment message 124), is the same message received by Bank B. Hence, it would appear from Figure 4, that there is no additional data added to the payment message by the payment network. However, even if there were, it is respectfully submitted that nowhere does Kolling suggest that the payment messages received from different consumer banks, are or could be differently formatted or normalized. Rather, what Kolling describes is a system in which the protocols are preagreed, and must be adhered to (see, for example, column 14, lines 25-28). Thus, Kolling has no need for normalization of payment request received in different formats.

Claims 6 and 27 are also rewritten in independent form. Each of these claims recites a centralized system or processor which processes the respective sets of payor payment requests from the individual independent sources, to generate payment instructions. These payment instructions are then either further processed by the centralized processor, to generate the payment directions for directing payment to the applicable payee or transmitted and processed by the applicable independent source processor to generate the payment directives.

This particular aspect of the invention is described on page 18, lines 1-16. Thus, as shown in Figure 2B, the payment instructions are generated by the RPP 3 and the payment directions are generated by the payment processor 24, which may be located at the source from which a particular set of payment request is received.

Other claims are amended solely for clarification, or to correct inadvertent editorial errors, and not to overcome the rejections, or for purposes of patentability.

It is further respectfully submitted, that other features recited in the dependent claims, further and independently distinguish over the applied prior art.

For example, as discussed above, Kolling explicitly requires the use of a unique BRN to access the payee files 108. Thus, Kolling lacks any disclosure of processing a portion of information in the received payment request to identify a zip code based upon which a database can be accessed to locate payee information, as for example, required in claim 7. Furthermore, claims, such as claim 11, require that the received payment request, is processed to determine characters of an account number, and that one of a plurality of remittance centers is selected based on the identified characters. It is respectfully submitted that Kolling lacks any description of the required process. Indeed, in rejecting claim 11, it is noted that the BRN (not the payor's account number with the biller) is utilized to access the billers bank ID, and thereby select the applicable billers bank.

With regard to claim 13, it is respectfully submitted that Kolling fails to suggest altering an account number in a received payment request in the manner recited. The reference text in columns 15 and 16 lacks any suggestion of the required limitations. Rather, as described in the reference text in column 16, there is no transformation whatsoever of the information in message 124 by the payment network. Furthermore, it appears from the description in the reference text in column 15 (which relates to the consumer's bank not the payment network), that the C-B account number included in the order 122 is identical to that included in the payment message 124, which passes from Bank C to Bank B.

It is also noted that claims which may recite features similar to those recited in some of the present claims (as amended herein), may also be recited in one or more of the identified related applications. Furthermore, claims reciting such features, may have been rejected by the Examiner to whom the related application is assigned.

Accordingly, it is respectfully requested that the Examiner consider the file histories of each of the related applications to ensure that there is a clear understanding on the Examiner's part of the positions being taken by other Examiner's, with respect to limitations similar to those recited in the present claims.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the

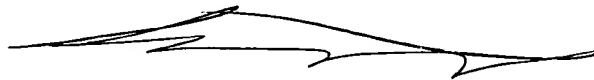
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Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Alfred A. Stadnicki', with a long horizontal stroke extending to the right.

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